United Nations Convention on the Law of the Sea SPLOS/L.48

Meeting of States Parties

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Draft decision on the surrender of savings by the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Considering that, on the basis of the provisional performance for 2005, overexpenditures incurred in 2005 in respect of the budget lines, "Annual allowances" and "Special allowances", under section 1, "Remuneration of Judges", amounted to €197,724,[1]

Considering also that, subject to the final performance for the financial period 2005-2006, the overexpenditures could be financed by transfer between sections, in accordance with the decisions taken by the fifteenth Meeting of States Parties in June 2005,[2]

Considering further that the Tribunal decided that, subject to approval by the Meeting of States Parties, an amount of €312,684 from the 2002 savings corresponding to the additional appropriations for 2005[3] would be surrendered and deducted from the assessed contributions of the States parties in accordance with regulation 4.5 of the Financial Regulations of the Tribunal,

Noting that regulation 4.5 of the Tribunal reads as follows:

> "Any cash surplus in the budget at the close of any financial period shall be apportioned among States Parties, International Organizations and the International Seabed Authority in proportion to the contributions determined for the financial period to which the surplus relates. As of 1 January of the year in which the audit of the accounts of the financial period is completed, the amount so apportioned to a State Party, an International Organization or the International Seabed Authority shall be surrendered if its contribution for that financial period has been paid in full and shall be applied to liquidate, in whole or in part, first, any advance due to the Working Capital Fund; secondly, any arrears of contributions; and thirdly, contributions for the calendar year following the year in which the audit is completed.

[1] SPLOS/138, para. 10.
[2] See SPLOS/132 and SPLOS/133.
[3] See SPLOS/138, annex.

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"While any cash surplus in the budget shall be apportioned among all States Parties, International Organizations and the International Seabed Authority, the amount so apportioned shall be surrendered only to those which have paid in full their contributions for that financial period. Amounts apportioned but not surrendered shall be retained by the Registrar until such time as the contribution for the relevant financial period is paid in full, at which time they shall be applied as set forth above."

Decides that an amount of €312,684 from the 2002 savings corresponding to the additional appropriations for 2005 will be surrendered and deducted from the assessed contributions of the States parties in accordance with regulation 4.5 of the Financial Regulations of the Tribunal.